

## Message Text

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ACTION EA-09

INFO OCT-01 ISO-00 SCS-03 SCA-01 PPT-01 DHA-02 L-03  
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FM USLO PEKING  
TO SECSTATE WASHDC 8407  
INFO AMCONSUL HONG KONG

C O N F I D E N T I A L PEKING 1708

PASS EA/PRCM

E.O. 11652: XGDS  
TAGS: CASC, CPAS PFOR SHUM CH US

SUBJ:AMERICAN CITIZENS DETAINED IN PRC

1. SUMMARY: BELOW IS A STATUS REPORT ON THE CASES OF THREE U.S. CITIZENS NOW IN CHINA WHO HAVE BEEN DENIED PERMISSION TO EXIT THE PRC AND RETURN TO THE UNITED STATES. BERTHA LIU (NEE: JEE) HAS NOT BEEN HEARD FROM SINCE HER REPORTED IMPRISONMENT FOR POLITICAL CRIMES IN 1970; DANIEL KELLY HAS SPENT SEVERAL YERS IN VARIOUS REFORMATORIES AND LABOR CAMPS SINCE HIS ATTEMPTED ESCAPE IN 1957; AND CHAO YUN-HUI WHOSE RECENT APPLICATION FOR A US PASSPORT HAS CAUSED HER CONSIDERABLE HARASSMENT. USLO DOES NOT KNOW IF CHAO HAS BEEN DETAINED OR IMPRISONED FOR HER UNAUTHORIZED CONTACTS WITH USLO.

2. BERTHA LIU (NEE: JEE; AKA LIU CHU, PAO-LIN,0491 2612 1405 3829) BORN IN TIENTSIN OF U.S. CITIZEN PARENTS IN 1913 WAS LAST DOCUMENTED AS A US CITIZEN BY AMCONSUL PEIPING ON JULY 22 1948. SHE HAD BEEN EMPLOYED BY THE VISA SECTION OF THE BRITISH DIPLOMATIC MISION IN PEKING FOR SEVERAL YEARS AFTER 1949, BUT HAS SINCE RETIRED.

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3. IN JANUARY 1971 THE HEAD OF THE BRITISH MISSION IN PEKING WAS INFORMED BY YU CHUN OF THE MFA WESTERN EUROPE DEPARTMENT THAT BERTHA LIU AND HER HUSBAND, TIMOTHY CHI HWA LIU (0491 3444 5478) HAD BEEN DETAINED FOR INVESTIGATION FOR ALLEGED OFFENSES AGAINST THE STATE. YU CHUN ALSO STATED THAT BERTHA LIU WAS A "US CITIZEN OF THE CHINESE RACE". MRS. LIU WAS ACKNOWLEDGED

BY THE CHINESE TO BE AN AMERICAN CITIZEN (SEE 73 STATE 245587) AT THE SINO-US GENEVA TALKS IN 1955.

5. BERTHA LIU'S PRESENT WHEREABOUTS REMAIN UNKNOWN. THE DEPARTMENT AND AMCONGEN HONG KONG HAVE BEEN GETTING FREQUENT REQUESTS FOR ASSISTANCE FROM BERTHA'S US CITIZEN SISTER, MRS. LAURA JEE LI, NOW LING ING IN HONG KONG; HER BROTHER, DR. KENNETH JEE, M.D. AND HER TWIN SISTER, STELLA JEE LIN, LIVING IN NEW YORK. THEY REPORT THAT BERTHA'S DAUGHTER LUCILLE (MEI-YI) LIU TRIES TO SEND 20 RMB (US \$10) A MONTH TO HER IMPRISONED MOTHER THROUGH A THIRD PARTY. LUCILLE LIU, REPORTED TO BE LIVING IN THE PEKING AREA, IS ALONE AND IN POOR HEALTH.

5. BETWEEN 1974 AND 1975 USLO MADE SIX REQUESTS TO THE MFA FOR INFORMATION ON BERTHA LIU'S WHEREABOUTS AND CONDITION, ALL OF WHICH WERE ACKNOWLEDGED BUT NONE ANSWERED.

6. DANIEL KELLY BORN JANUARY 11, 1941, IN PEKING, CHINA, OF US CITIZEN MISSIONARY FATHER AND CHINESE MOTHER RECEIVED US PASSPORT FROM US CONSULATE PEIPING IN NOVEMBER 1948. THAT SAME YEAR DANIEL'S OLDER BROTHER AND SISTER WERE SENT TO THE UNITED STATES, BUT DANIEL HIMSELF REMAINED IN CHINA WITH HIS PARENTS. DANIEL'S CONFIDENTIAL

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MOTHER APPLIED FOR PRC CITIZENSHIP ON HIS BEHALF IN 1955 UNDER THE NAME, CHI TAN YI LI (1323 0141 0110 3810), A PHONETICIZATION OF HIS ENGLISH NAME.

7. AFTER DANIEL'S FATHER, DR WILLIAM KELLY, DIED IN CHINA IN 1957 DANIEL ATTEMPTED TO LEAVE CHINA ILLEGALLY THROUGH MACAU UNDER THE ASSUMED IDENTITY OF LIN HSIAO-SHU (2651 2699 2579). AT THAT TIME HE LEFT HIS U.S. PASSPORT AND BIRTH CERTIFICATE WITH A MR. JOHN MORGAN AT THE BRITISH EMBASSY IN PEKING. DANIEL WAS APPREHENDED BY PRC BORDER GUARDS BEFORE ENTERING MACAU AND WAS SUBSEQUENTLY SENT TO A SERIES OF REFORMATORIES AND LABOR CAMPS. HE IS STILL LIVING, TO THE BEST OF OUR KNOWLEDGE, IN A STATE FARM OUTSIDE PEKING, STILL USING THE ASSUMED NAME OF LIN HSIAO-SHU.

8. DANIEL KELLY WAS ABLE TO MAKE AN UNAUTHORIZED VISIT TO USLO IN FEBRUARY 1974 TO APPLY FOR A NEW U.S. PASSPORT. THE ADJUDICATION WAS REFERRED TO THE DEPARTMENT WHICH QUICKLY AUTHORIZED APPROVAL, AND USLO SENT KELLY A LETTER TO THAT EFFECT ON APRIL 10, 1974. ALMOST THREE MONTHS LATER THE FOREIGN MINISTRY (MFA)

OFFICIALLY COMPLAINED THAT USLO HAD NOT RECEIVED MFA PERMISSION TO CONTACT KELLY EMPHASIZING THAT KELLY WAS A CHINESE CITIZEN. MFA SAID THAT USLO SHOULD ARRANGE CONTACTS WITH CHINESE CITIZENS THROUGH THEM, BUT IN CASES SUCH AS KELLY'S ACCESS WOULD BE DIFFICULT TO ARRANGE (SEE 74 PEKING 1161) THIS WAS THE LAST WORD. IT IS INTERESTING TO NOTE THAT THE CHINESE REFER TO KELLY EXCLUSIVELY BY HIS ASSUMED NAME, LIN HSIAO-SHU.

9. KELLY'S PLIGHT HAS BEEN THE LONG TERM CONCERN OF HIS SIBLINGS IN THE US AS WELL AS OF SEVERAL MISSIONARY FRIENDS BOTH IN THE US AND HONG KONG. IN LATE 1975 ACCOUNTS OF KELLY'S CASE APPEARED IN THE HONG KONG PRESS. USLO WAS INFORMED THAT NEW ZEALAND COVERAGE OF CONFIDENTIAL

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THE CASE ALSO PROMPTED PRIME MINISTER MULDOON TO CONSIDER RAISING SIMILAR HUMANITARIAN MATTERS WITH THE PRC DURING HIS VISIT IN APRIL 1976 (76 PEKING 0057).

10. CHAO YUN-HWEI (6392 7291 1979) BORN IN 1946 IN NEW YORK CITY OF A CHINESE CITIZEN MOTHER AND RETURNED TO CHINA 1948 ON A U.S. PASSPORT. SHE RETAINED THE PASSPORT UNTIL 1967 WHEN IT WAS CONFISCATED BY RED GUARDS DURING THE CULTURAL REVOLUTION, BUT IT WAS RETURNED TO HER IN EARLY 1977 IN WHAT MAY HAVE BEEN A TACIT RECOGNITION OF HER U.S. CITIZENSHIP.

11. IN FEBRUARY 1977 CHAO USED HER 1948 PASSPORT TO GET PAST THE PLA GUARD AT USLO AND MADE APPLICATION FOR A NEW PASSPORT. IN MARCH, HOWEVER, PUBLIC SECURITY AUTHORITIES (PSB) CONFISCATED HER OLD PASSPORT THUS REMOVING THE KEY TO HER UNAUTHORIZED CONTACT WITH FOREIGNERS. THE PAS ALSO TOLD HER THAT THE PRC DOES NOT RECOGNIZE HER U.S. CITIZENSHIP AND FORBADE ANY FURTHER VISITS TO USLO. CHAO DID MANAGE TO ENTER USLO AGAIN IN MARCH 30, 1977, TO OBTAIN HER NEW U.S. PASSPORT. USLO HAS NOT HEARD FROM CHAO SINCE MARCH 30.

12. THE CHINESE IN A MEETING WITH USLO CONOFF ON APRIL 20 COMPLAINED THAT USLO HAD NOT OBTAINED PERMISSION TO ISSUE CHAO A PASSPORT, AND STATED THAT CHAO WAS A CHINESE CITIZEN WHO SHOULD APPLY FOR TRAVEL DOCUMENTS THROUGH CHINESE AUTHORITIES. AT THAT TIME IT WAS THOUGHT THAT THE CHINESE MIGHT BE WILLING TO GRANT HER EXIT DOCUMENTATION. AS USLO HAS HAD NO CONTACT WITH CHAO FOR OVER FOUR MONTHS, IT IS POSSIBLE THAT THE CHINESE MAY BE DETAINING HER.

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13. CHAO HAS CONSISTENTLY VOICED HER DESIRE TO  
EMIGRANT TO THE UNITED STATES WITH HER HUSBAND AND  
CHILDREN. USOL HAS ALSO RECEIVED AUTHORITY TO EXTEND  
REPATRIATION FINANCING TO HER AND HER FAMILY SHOULD  
EXIT PERMISSION BE GRANTED. CHAO ALSO HAS RELATIVES  
AND FRIENDS IN BOTH THE US AND HONG KONG WHO SHE  
FELT MAY BE WILLING TO AID HER RESETTLEMENT.  
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